

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

WARREN SHULTS,) CASE NO. _____
vs. Plaintiff,)
NATIONAL UNION FIRE INSURANCE)
COMPANY OF PITTSBURGH, PA.,)
Defendant.)
)
)

Defendant National Union Fire Insurance Company of Pittsburgh, PA. (“National Union”), by and through its undersigned counsel and pursuant to 28 U.S.C. §§ 1332, 1441 and 1446 file this Notice of Removal of Case No. CI 17-277 from the District Court of Lincoln County, Nebraska. In support of the Notice of Removal, the Defendant states as follows:

1. This civil action was originally filed in the District Court of Lincoln County, Nebraska on June 7, 2017.
2. National Union was served with a Summons via Certified Mail to its registered agent for service of process in Nebraska on July 10, 2017.
3. Defendant’s Notice of Removal is timely, as it is filed within the thirty (30) day period allowed pursuant to 28 U.S.C. § 1446(b).
4. As required by 28 U.S.C. § 1446(a), copies of all “process, pleadings, and orders served upon each such defendant” are attached hereto as Exhibit 1 to this Notice of Removal.
5. As set forth more fully below, this Court has original subject matter jurisdiction pursuant to 28 U.S.C. §1332, and removal is proper under 28 U.S.C. § 1441.

6. This Court has original subject matter jurisdiction of this action according to 28 U.S.C. § 1332, which states that “The district courts shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between (1) citizens of different States.”
 7. Plaintiff Warren Shults is a resident of North Platte, Nebraska and therefore is a citizen of Nebraska.
 8. National Union is a corporation organized and existing under the laws of the State of Pennsylvania and its principal place of business is located in New York City, New York and is therefore a citizen of Pennsylvania and New York.
 9. The matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, as Plaintiff has made demand upon National Union in the amount of \$600,000 by letter dated December 29, 2016 which is attached hereto and marked Exhibit 2.
 10. As this is a civil action where the matter in controversy exceeds the sum or value of \$75,000 and is between citizens of different States, this Court has original subject matter jurisdiction pursuant to 28 U.S.C. §1332.
 11. Removal of this action is not barred by 28 U.S.C. §1441(b)(2) as National Union, the sole Defendant, is not a citizen of Nebraska, the State in which such action is brought.
 12. Removal is proper pursuant to 28 U.S.C. § 1441.
 13. National Union will file a notice of this removal in the District Court for Lincoln County, Nebraska, and will serve a copy of it and this Notice of Removal on Plaintiff’s counsel.
- Respectfully submitted this 31st day of July, 2017.

Place of Trial: Lincoln, Nebraska.

NATIONAL UNION FIRE INSURANCE
COMPANY OF PITTSBURGH, PA.,
Defendant

By: /s/ J. Scott Paul

J. Scott Paul (NE 16635)
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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that on this 31st day of July, 2017 I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following and I hereby certify that I have mailed by United States Postal Service the document to the following:

Vincent J. Dugan
Brouillette, Dugan & Troshynki, P.C., LLO
501 South Dewey Street
P.O. Box 1605
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/s/ J.Scott Paul